

PATENT  
Docket No. 150.00880103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Derderian et al. ) Group Art Unit: 2818  
Serial No.: 10/045,345 ) Examiner: Dang, Phuc T.  
Confirmation No.: 1310 )  
Filed: 25 October 2001 )  
For: METHODS FOR FORMING ROUGH RUTHENIUM-CONTAINING LAYERS  
AND STRUCTURES/METHODS USING SAME

RESPONSE TO RESTRICTION REQUIREMENT

FAX RECEIVED

DEC 30 2002

TECHNOLOGY CENTER 2800

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In the Restriction Requirement dated 29 November 2002, the Examiner issued the following restrictions: Group I, claims 1-29 and 44-45; Group II, claims 30-40; Group III, claims 46-60; and Group IV, claims 61-68.

On 10 December 2002, Applicants' Representative, Jay Pralle, spoke with the Examiner regarding the pending Restriction Requirement. Mr. Pralle informed the Examiner that claims 1-45 had been cancelled in the Request for Filing a Divisional Patent Application Under Rule 1.53(b) dated 25 October 2001, and, therefore, the Restriction Requirement including such cancelled claims was inaccurate. The Examiner responded that he would withdraw all pending restrictions and send to Applicants confirmation of such withdrawal. As of the one month date of the pending Restriction Requirement, Applicants have not received written confirmation of this withdrawal. It is Applicants' understanding that no Restriction Requirement is currently pending.

In the event, however, that the pending Restriction Requirement has not been withdrawn, Applicants elect, with traverse, Group III (claims 46-60), drawn to a method for use in forming a capacitor. Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

**Response to Restriction Requirement**

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STRUCTURES/METHODS USING SAME

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

**CERTIFICATE UNDER 37 C.F.R. § 1.8:**

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 C.F.R. § 1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 30th day of December, 2002, at 1:55pm (Central Time).

Sara E. Olson  
Name: SARA E. OLSON

30 Dec 2002

Date

Respectfully submitted for

Micron Technology, Inc.,

By

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Assistant Commissioner for Patents  
Attn: Examiner Phuc T. Dang  
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December 30, 2002  
Date

Signature: [Signature]  
Name: SARA E. OLSON

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).